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Tribal Mobility, Accessibility and Social Equity

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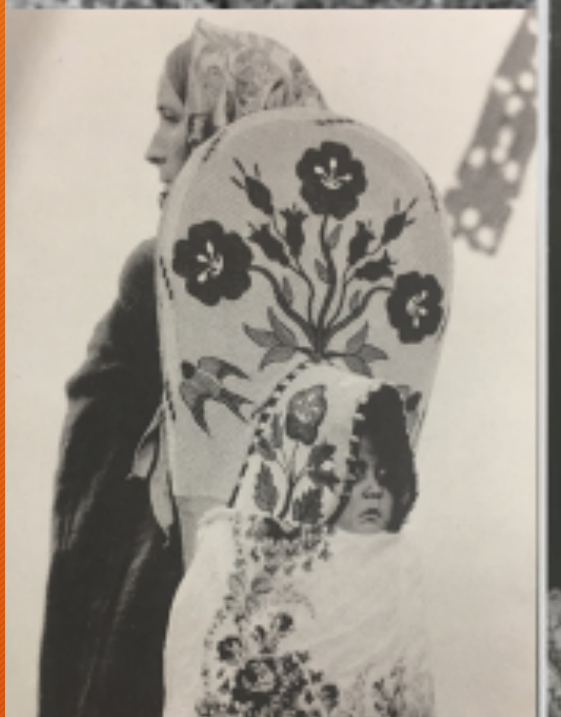
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Tribal Mobility, Accessibility and Social Equity

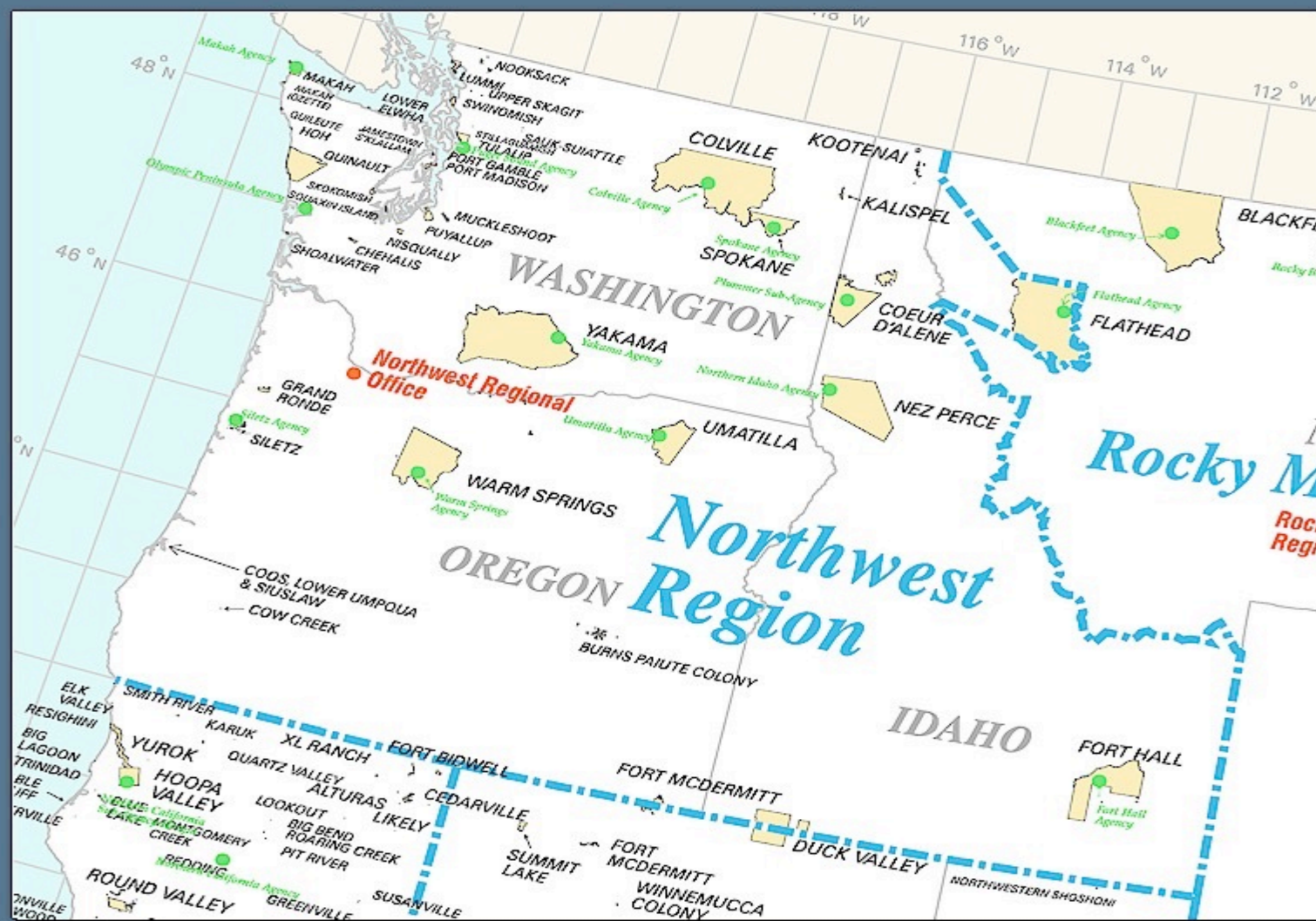
- Eastern Washington University
- Margo Hill, JD, MURP
- Eastern Washington University, SURTCOM - Small, Urban, Rural, Tribal, Center on Mobility.
- Portland State University
- October 23, 2020







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Tribal Sovereignty and Federal Preemption

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- We cannot understand or do good planning in Indian Country without knowing some American Indian history or understanding the concepts of tribal sovereignty and understand the federal preemption of state laws in the field of Indian Affairs.
- European colonial governments presupposed their right to take the New World from its original habitants. They found justification in Christian evangelism, the Roman law of conquest, and the international law of the day.

Sources of Federal Indian Law

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- 1. International Law and Practice--Look to borrowed settled principles of International law. Roman Law, Land Title of European governments. Spanish law of Conquest
- 2. Inherent Tribal Sovereignty--The inherent right or power to govern. At the time of the European discovery of America, the tribes were sovereign by nature and necessity; they conducted their own affairs and depended upon no outside source of power to legitimize their acts of government.
- 3. Treaties--369 treaties entered into with the United States of America

Sources of Federal Indian Law

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- 4. Federal Statutes - Statutes are laws enacted by Congress. There are some laws enacted by Congress that specifically apply to Indians and tribes such as the Indian Child Welfare Act (ICWA) or the Indian Gaming Regulatory Act (IGRA).
- 5. Executive Orders -- unilateral agreements entered into with the President that typically establish the reservation. (This is opposed to treaties that are bi-lateral agreements between the Tribe and the United States government.)
- 6. Federal Court Decisions- these are decisions made in federal courts that apply to tribes. In Indian Country tribes want to be careful of the cases they bring forward. Bad facts make bad law.

Sources of Federal Indian Law

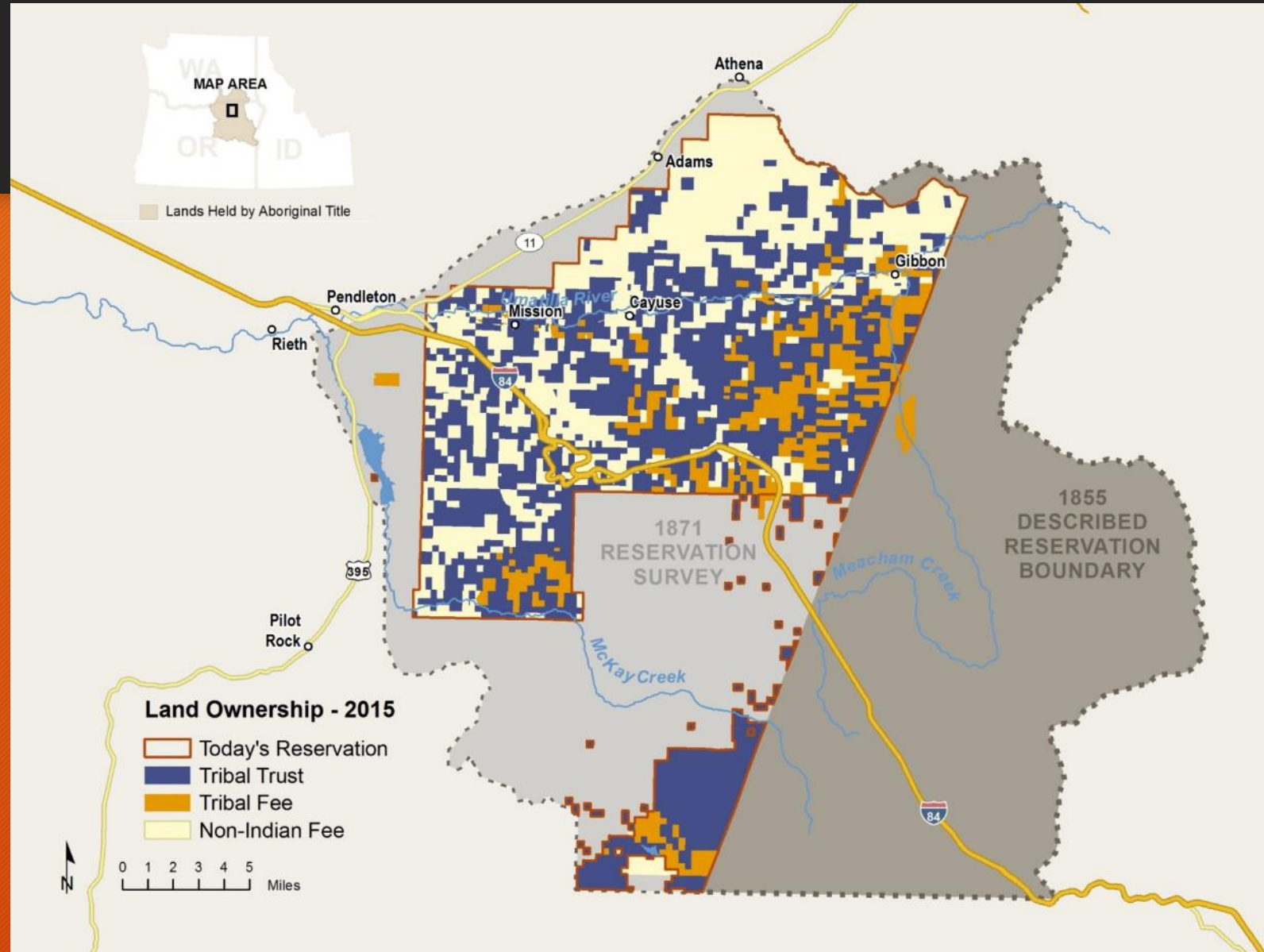
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- 7. Administrative Regulations come from Federal Regulatory agencies. - When it comes to federal regulations its validity depends upon its being within the statutory authority Congress conferred upon the regulating agency. The Secretary of Interior issues regulations that apply to tribes. The Environmental Protection Agency - puts forth regulations that apply to tribes.
- 8. U.S. Constitution -- U.S. Constitution -Indian Commerce Clause, Treaty clause, Supremacy - federal laws are Supreme over State laws. U.S. Constitution (4) Federal Government, States, Foreign Nations, Tribes.
- 9. Tribal Law - Tribes enact Constitution/codes/statutes—the internal law that each tribe applies to its own affairs and members.(Example - the Tlingits have a highly evolved traditional property law.)

The Colville Reservation



Background Maps:



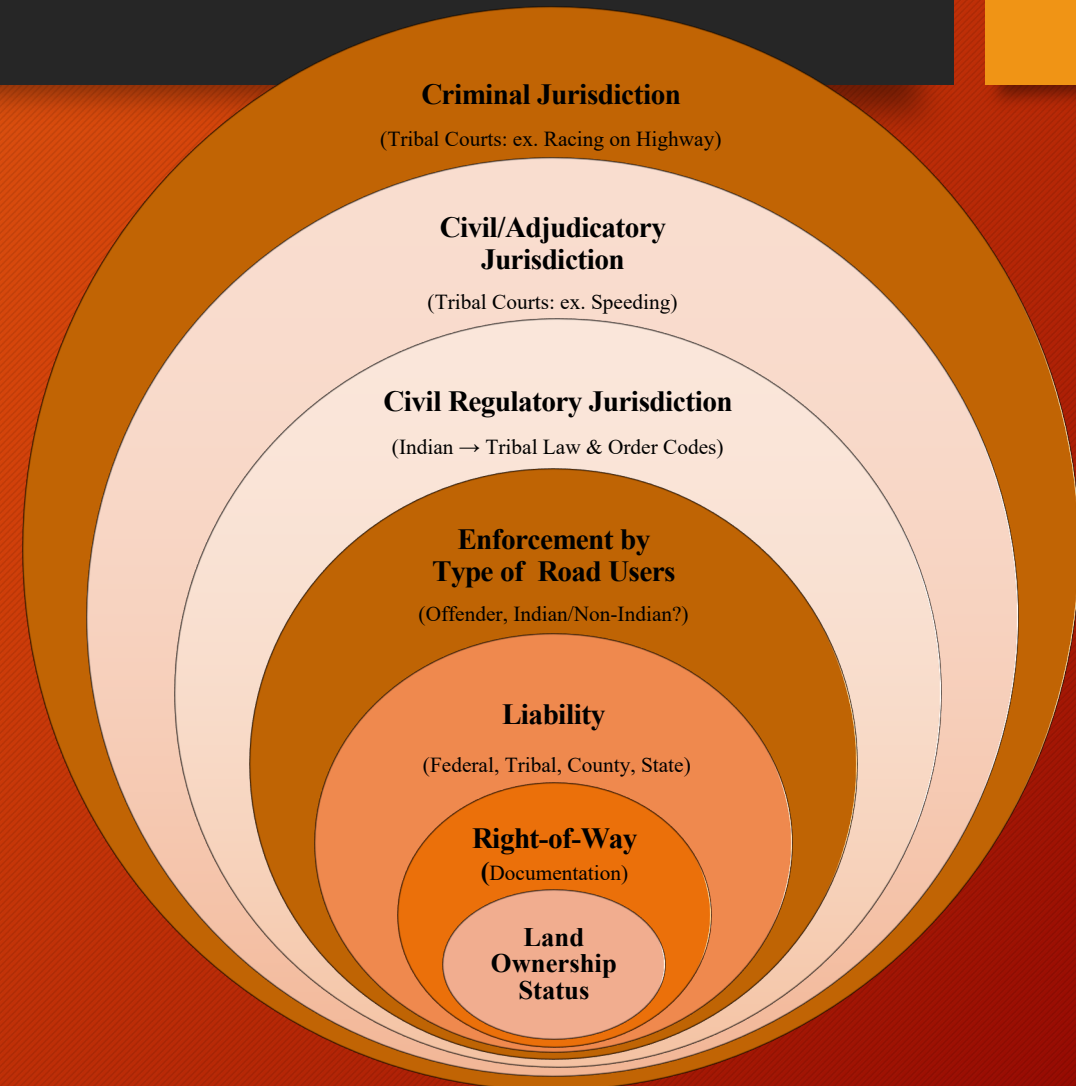
Jurisdictional Issues

Tribal Nation's Relationships with State & Local Agencies

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The Tools for Intergovernmental Working Relationships

- ✳ **Intergovernmental Cooperative Agreements**
(Potential regulatory, administrative, or judicial clarity)
- ✳ **Cross-Deputization Agreements**
(Law Enforcement)
- ✳ **MOU/MOAs**
(ex. EMS/Fire services)



Adapted from: Right-of-Ways over Tribal Lands
18th Annual Northwest Tribal Transportation Symposium,
Raquelle “Kelly” Myers, Staff Attorney for the National Indian
Justice Center, California/Nevada TTAP.

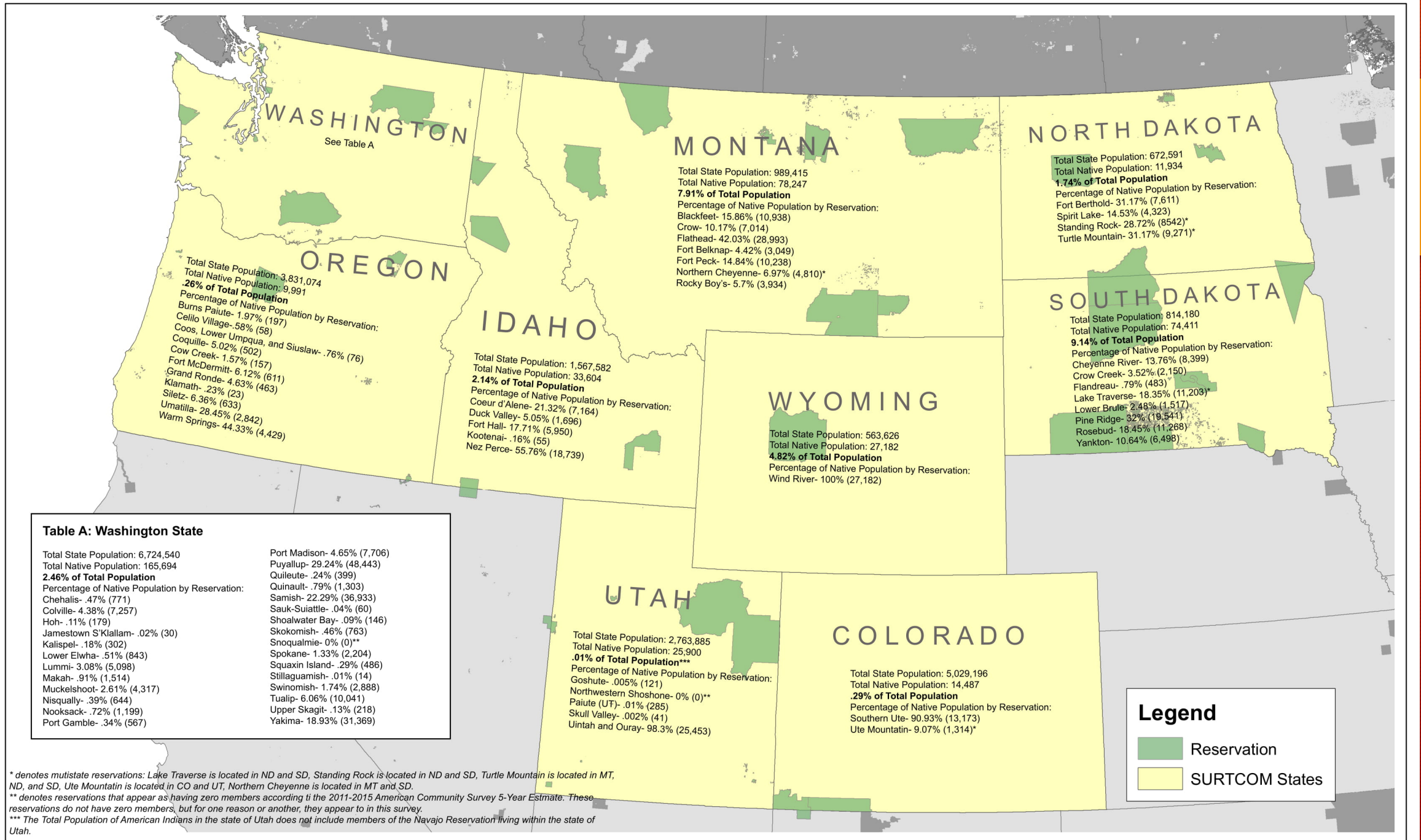


Why do we care? Mobility Matters!

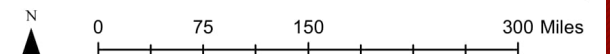
United States Supreme Ct - Cougar Den case

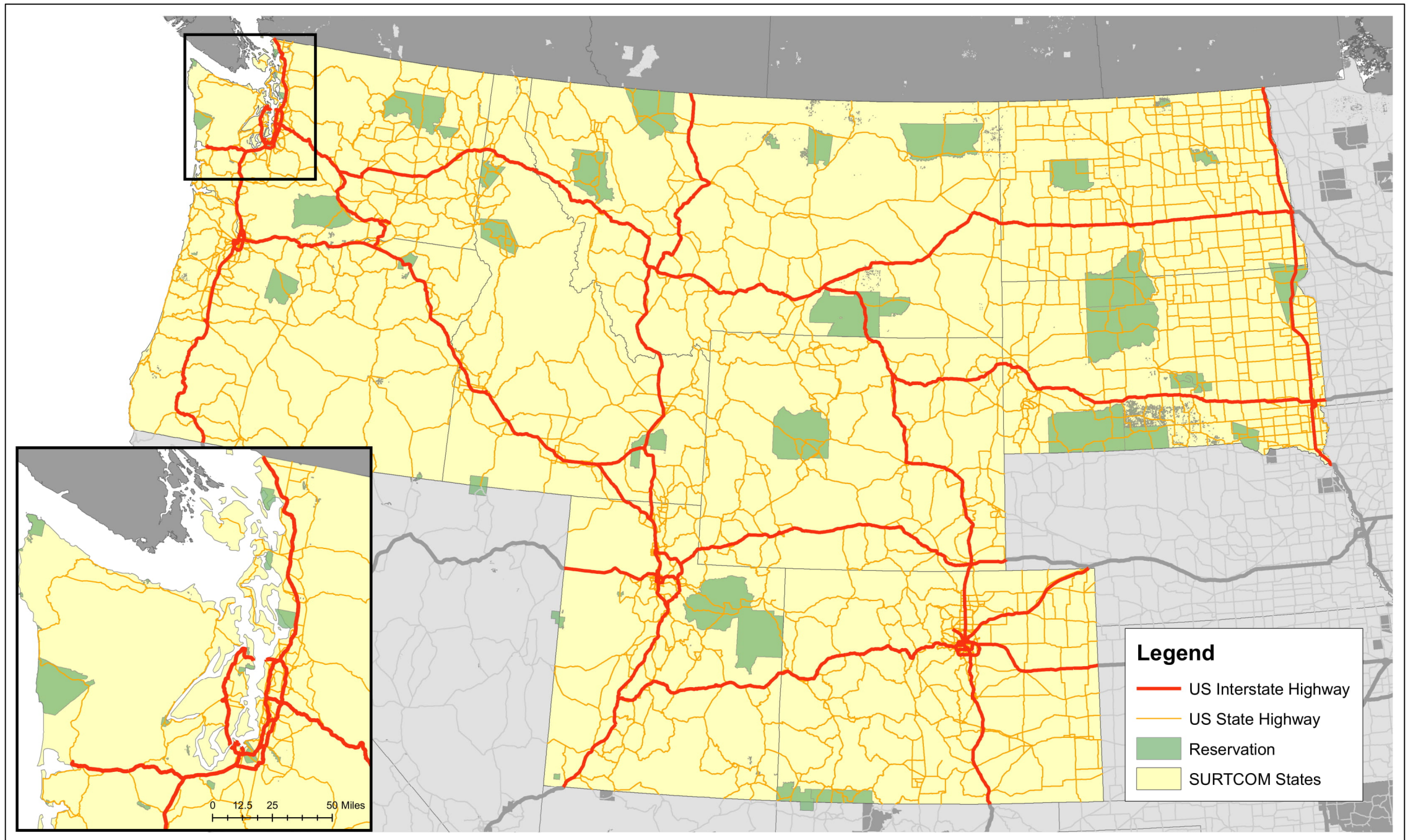
- The United States Supreme Court recently decided the Washington Dept. of Licensing v. Cougar Den, Inc. which is based on facts from an 1855 treaty. At issue is the Yakama Nation's mobility in a "Right to Travel" provision that Yakama Chiefs negotiated into their treaty with the U.S. Government. The crux of the issue is whether a Yakama Tribal entity is required to pay a fuel tax assessed by the state. The Yakama Nation is a sovereign nation that ceded land in exchange for health care, education and a trust relationship with the federal government. Other Western States like Idaho and Montana have a clear investment in the outcome: A similar provision exists in treaties with the Nez Perce of Idaho and the Confederated Salish and Kootenai Tribes in Montana. This is not a minor issue and millions of dollars are on the line. The Yakama "right to travel" provision in the Treaty of 1855 the tribe argues that tribal members can move goods across state lines without taxation - something tribes fought for when they ceded 12 million acres of their territory. EWU SURTCOM has worked with the Yakama Nation on Transportation, Traffic Safety and Tribal Mobility issues and has a unique understanding of the Yakama Nation's rural community and struggle for economic development.

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Federally Recognized American Indian Reservations within the SURTCOM Study Area





Federally Recognized American Indian Reservations and US Highways within the SURTCOM Study Area

Key Measures of Mobility, Access, and Isolation among Tribal Communities cont.

Average (SD) reservation area and driving distances and times to										
State	Number of Reservations	Reservation area (sq miles)	Micropolitan pop > 10k		Metropolitan pop > 100k		US Interstate Onramp		Walmart	
			Miles	Minutes	Miles	Minutes	Miles	Minutes	Miles	Minutes
TOTAL	71	777(1367)	45(41)	53 (43)	142 (106)	150 (95)	57 (52)	67 (58)	39 (36)	46 (38)
By State										
Colorado	2	904 (229)	42 (26)	49 (27)	361 (52)	361 (52)	185 (36)	200 (53)	18 (2)	24 (2)
Idaho	5	570 (485)	46 (35)	51 (38)	122 (38)	122 (38)	66 (46)	71 (49)	40 (34)	46 (32)
Montana	7	1926 (1332)	64 (23)	68 (25)	280 (88)	377 (136)	73 (53)	72 (51)	63 (34)	69 (37)
North Dakota	4	1490 (1594)	83 (19)	89 (17)	279 (55)	316 (70)	88 (24)	91 (25)	48 (30)	52 (30)
Oregon	11	127 (310)	40 (57)	43 (57)	128 (50)	128 (50)	64 (43)	71 (46)	33 (40)	38 (40)
South Dakota	8	1733 (1770)	65 (29)	70 (26)	159 (66)	159 (66)	43 (34)	45 (36)	67 (24)	69 (25)
Utah	5	1396 (3034)	67 (78)	72 (86)	127 (59)	123 (61)	38 (54)	45 (60)	49 (69)	49 (72)
Washington	28	189 (579)	30 (29)	42 (37)	97 (64)	97 (64)	42 (52)	61 (64)	27 (27)	38 (36)
Wyoming	1	3542 (NA)	2 (NA)	4 (NA)	256 (NA)	256 (NA)	119 (NA)	109 (NA)	4 (NA)	8 (NA)

Key Measures of Mobility, Access, and Isolation among Tribal Communities cont.

Locational characteristics among reservations vary greatly. For example:

- with a distance of 285 miles (288 minutes) to a Metropolitan Population Center, the Fort Belknap Reservation is among the most isolated of the communities, but it is also only 47 miles (50 minutes) from the nearest Micropolitan Population Center.
- Another isolated community, the Southern Ute Reservation is 210 miles (237 minutes) from a US Interstate Highway on ramp and is only 23 miles (30 minutes) from the nearest Micropolitan Population Center.
- By comparison, the Cowlitz and Puyallup tribal headquarters are located within 1 mile and 3 miles, respectively, of Metropolitan areas with populations greater than 100,000.
- Given the variability, one trend was evident; distances and drive times to Walmarts were on average shorter than those for the other destinations.
- Only four of the reservations were farther than 100 miles from their nearest Walmart, with the Goshute Reservation being the farthest at a distance of 171 miles (177 minutes).

Focus Groups



Keller Focus
Group- Senior
Meal Center



Nespelem Focus Group-
Lucy Covington
Government Center

Omak Focus
Group-
Community
Center



Please be advised

The discussion we are about to have can cause strong emotions. We are sensitive to issues of victimization. If you need to step out of the room or seek assistance please do. Take care of yourself.



Murdered Missing Indigenous Women - 5,712

- The National Crime Information Center reports that, in 2016 there were 5,712 reports of missing American Indian and Alaskan Native women and girls. (NCIC 2018). Federal Bureau of Investigation.
- The US Dept. of Justice's missing persons database, NamUs, only logged 116 cases.
- The Center for Disease Control and Prevention has reported that murder is the third-leading cause of death for Indigenous women.
- The rates of violence on some reservations can be up to 10 times higher than the national average. Urban Indian Health Institute, Seattle Indian Health Board (2016)

National Intimate Partner and Sexual Violence Survey (NISVS)- NIPC, CDC, National Inst. Justice

- More than 4 in 5 American Indian and Alaska Native women (84.3 percent) have experienced violence in their lifetime. This includes -
- 56.1 percent who have experienced sexual violence.
- 55.5 percent who have experience physical violence by an intimate partner.
- 48.8 percent who have experienced stalking
- 66.4 percent who have experienced psychological aggression by intimate partner.
- The survey found one third of all American Indian women will be raped in their lifetimes.
- The National Institute of Justice (NIJ) funded the analysis of death certificates found that, on some reservations, Native women are murdered at a rate more than ten times the national average.

U.S. Attorney's Office - Failure to prosecute

- During my time in the Spokane Tribal Attorney's Office, I supervised the Tribal Prosecutor and we worked to hold perpetrators of rape, domestic violence, and child molestation accountable. We worked through law and order code changes that previously required proving "enticement" to get convictions on molestation. We worked with forensic interviewing specialist like Casey Family Partner services to have interviews hold up in court.
- Nevertheless, we continued to get declination letters from the United States Attorney's Office. We witnessed extreme cases of rape, sodomy and extreme violence that the U.S. Attorney's Office declined to prosecute. Even one severe violent case in which a tribal member was sliced ear to ear under her throat requiring 72 stitches.

Improving Safety of Tribal Women - Holding perpetrators of DV accountable

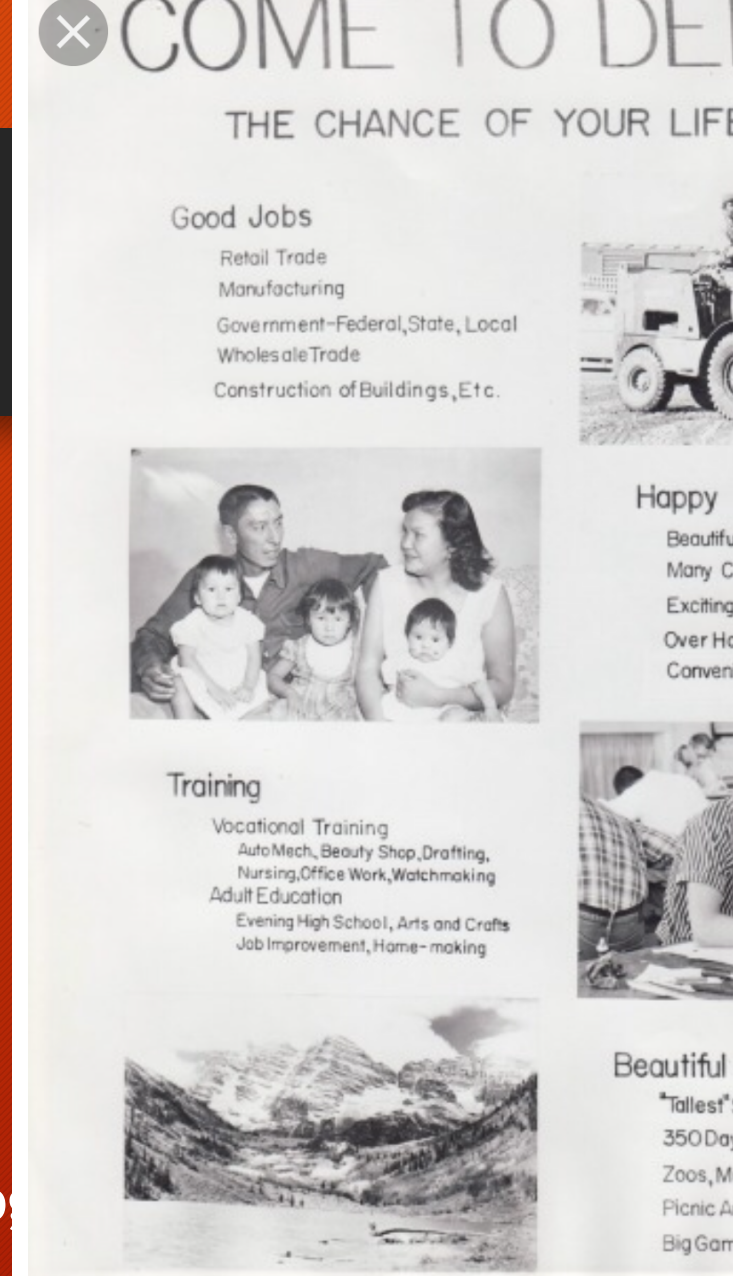
- Enacting reforms on federal crimes to help enhance jurisdiction over crimes of domestic violence, tribal protection orders, and amendments to the Federal assault statute - would significantly improve the safety of women in tribal communities and allow Federal and tribal law-enforcement agencies to hold more perpetrators of domestic violence accountable for their crimes.” Thomas J. Perrelli,
- Need for greater tribal jurisdiction over Domestic Violence Cases
- A Tribe’s ability to protect a woman from violent crime should not depend on her husband’s or boyfriend’s race.
- It is immoral for an Indian woman to be left vulnerable to violence because her abusive spouse is non-Indian.

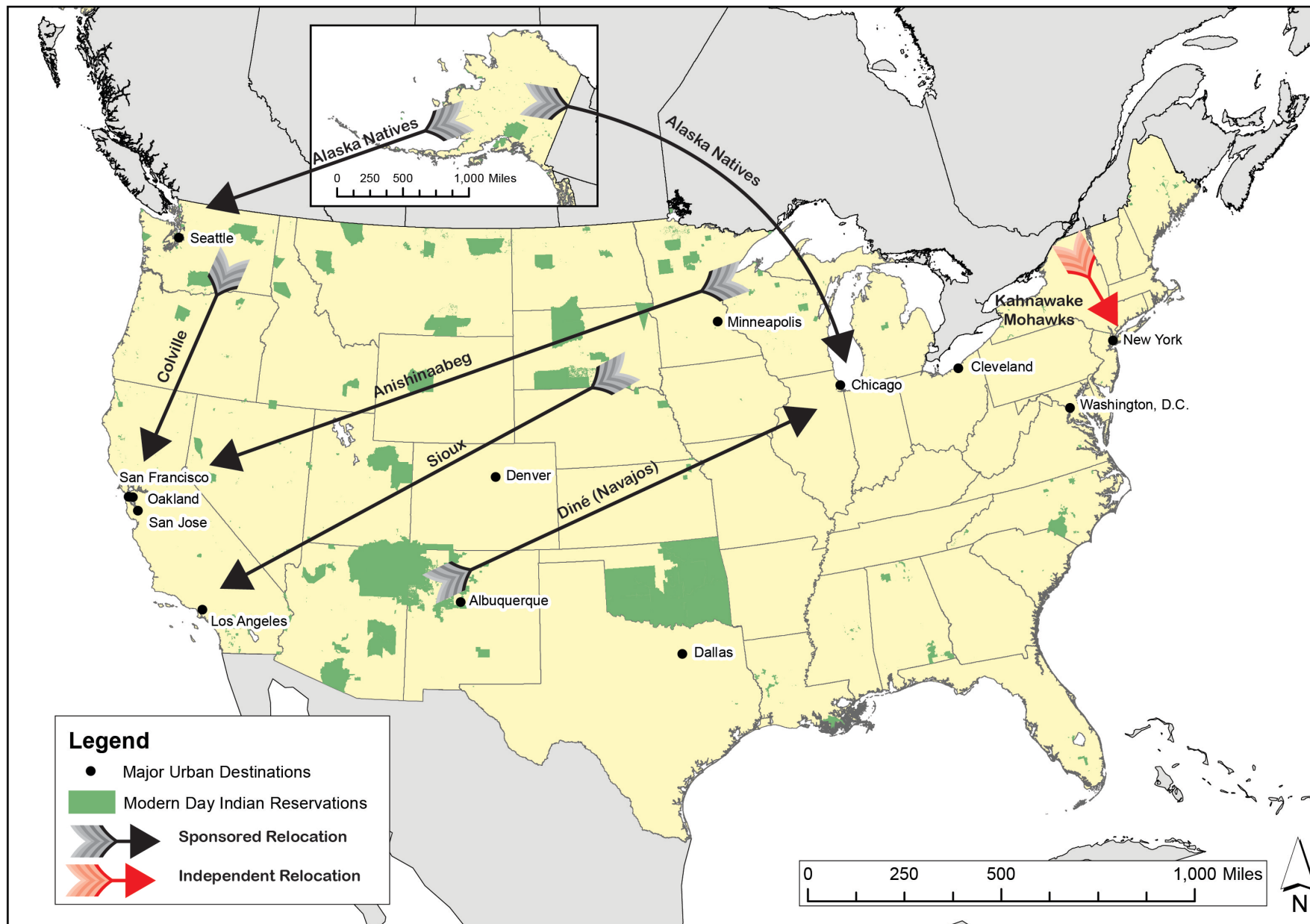
Urban Indian Health Institute, Tribal Epidemiology center began study

- No research had been done on rates of violence against native women living in urban areas.
- Approximately 71% of American Indian and Alaskan Native live in urban areas. The American Indian and Alaska Native population: 2010 U.S. Census Bureau. Other reports estimate 55% rural and small town.
- UIHI-The study sought to assess why obtaining data on violence is so difficult, how law enforcement agencies are tracking and responding to cases, and how media is reporting on them.
- Try to understand the institutional practices that allow them to disappear not once but 3 times - in life, the media, and in data.

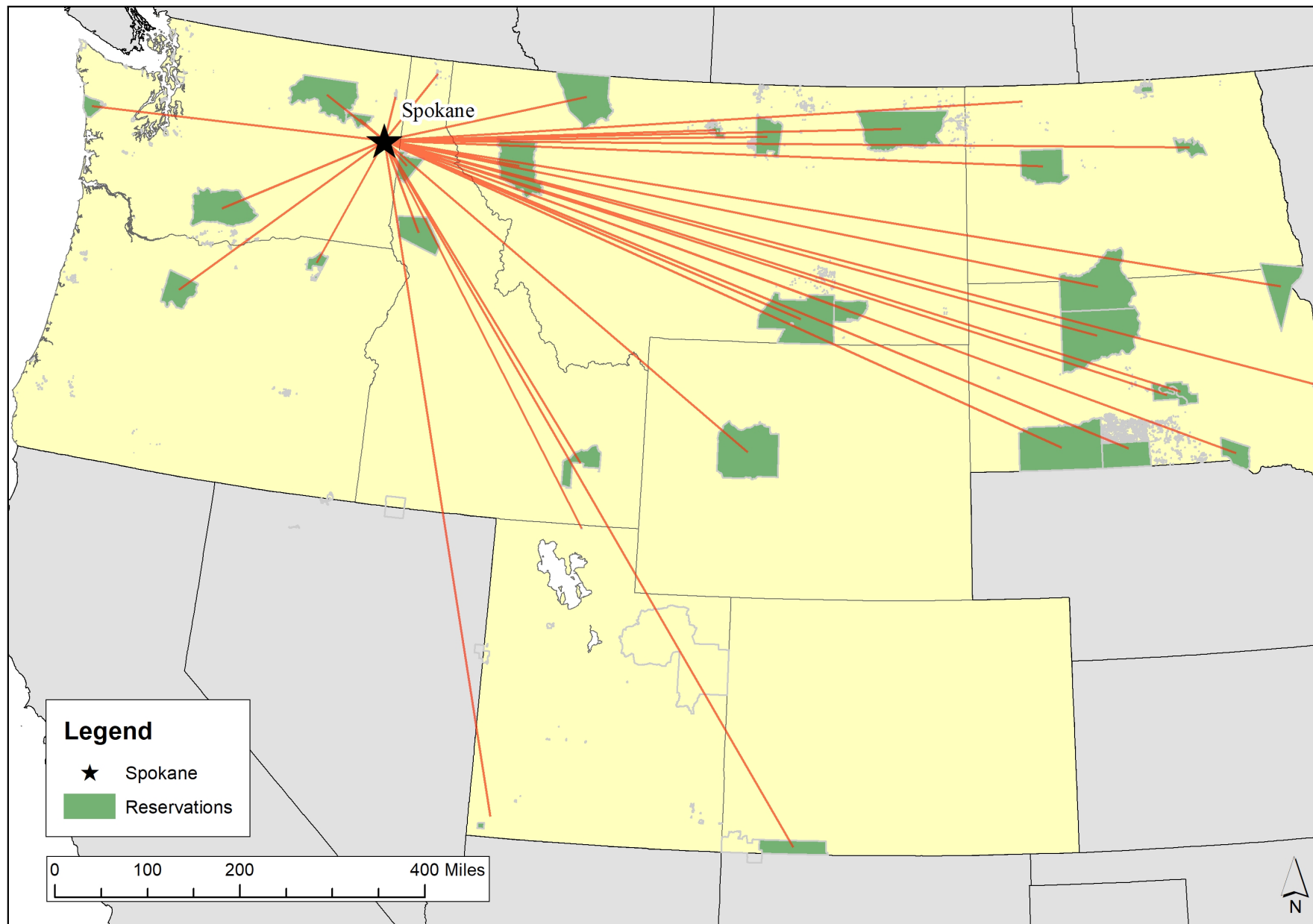
Indigenous Mobility - Rez to City

- It is History and United States Government policies affect where tribal people live today.
- In the 1950s - Forced relocation from reservations to urban areas promoted by certain members of congress to prep for termination.
- Termination policies - This policy eliminated government recognition of tribes and sell tribal lands. After they took most all the could.
- Barriers to obtaining quality housing, education and employment on the reservation. Have to move to city. Poor geo





Selected American Indian Relocations, 1950-1970



Reservations with Ties to the American Indian Community Center in Spokane, WA

Tribal Mobility - Patterns of Travel

- How do you interact with vulnerable communities?
- Traveling practiced routes of our parents, grandparents
- Tribal Mobility - Not random
- Traditionally we are expect to visit our elders.
- Current systems of travel are not keeping our women safe.



Mobility of Women - Accessibility/Affordability

- According to a recent LA survey
- Women use public transportation more often and make more multiple stop trips. 61% of women's trips on all modes are 10 miles.
- Women are more likely to live in a car free or car light household.
- Women ride more public transit than men.
- Largest barrier to riding transit for women in the LA region is "I don't feel safe."
- Women have lower wages and live in poverty. Buying bus passes.

Safety of Indigenous Women & Mobility

Tribal people have unique mobility patterns.

Indigenous women travel from Reservation to City and back to reservation for family and ceremony.

Tribal people are connected to other natives and travel to many different reservations. Hitchhiking.

Ivory - South Dakota - stranded in City of Spokane. She had been on Kalispel rez and boyfriend's family dropped her off.

Not allowed to buy a bus ticket. Mom was on the phone with a credit card. Cash systems. Tribal ID not State Id.



Violence Against Women - Visibility matters

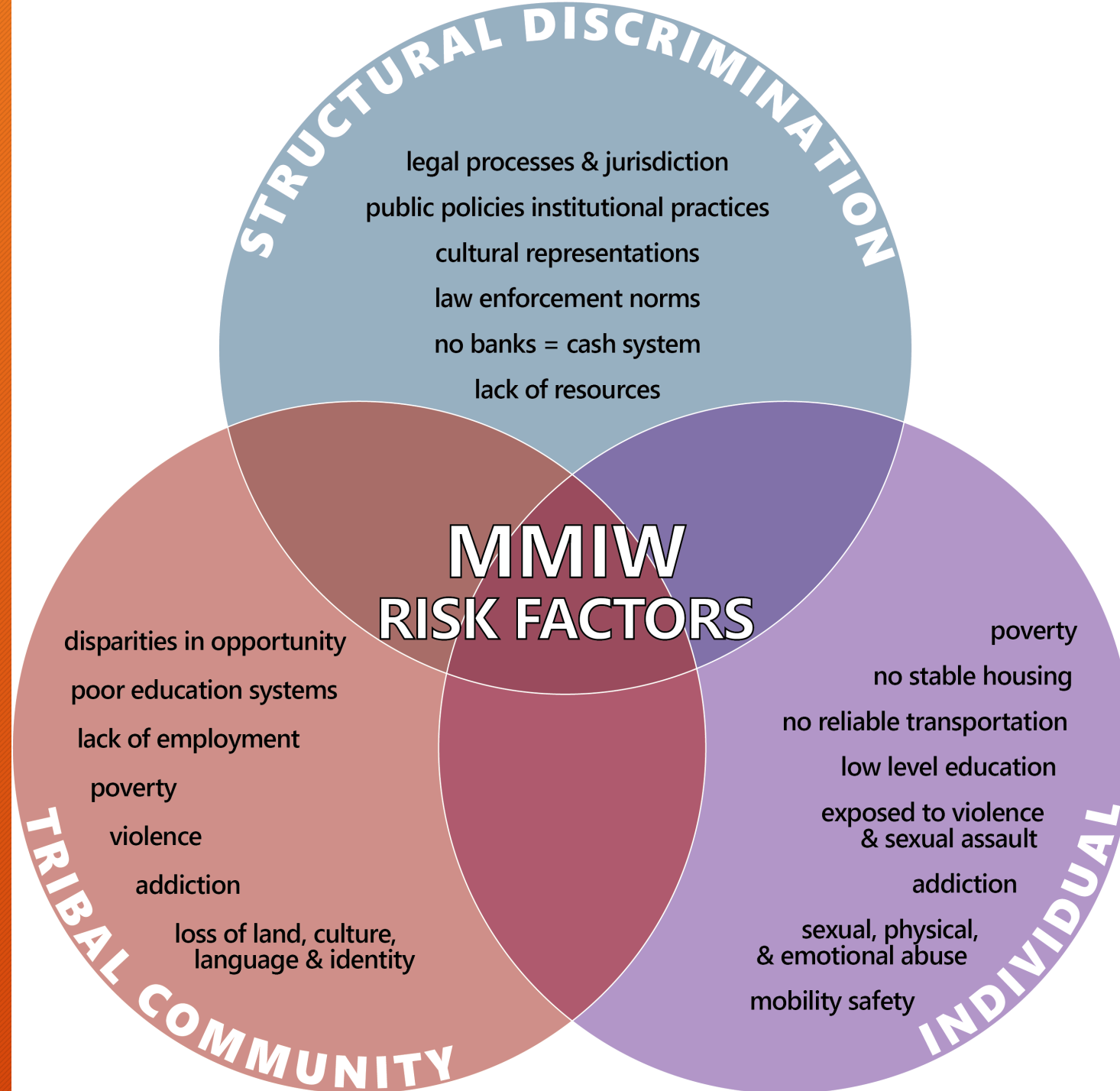
- ½ of all Indigenous women experience Domestic Violence
- Many DV perpetrators are non-native, We have no jurisdiction over non-Indians
- 67% of child abuse cases are thrown out by U.S. Attorneys Office.
- We had one molestation case that we had forensic interview that molester was yanking on his private. US Attny Declined. Oxygen tank.
- These Indigenous women were victims of domestic violence, sexual assault, police brutality, Sex workers, victims of trafficking, some victims identified as pregnant, homeless, some under age 18. Killed by partners- family member, serial killer, drug dealer.
- 83% of perpetrators identified were male, half were non-native

Geography - Urban states/cities with highest # cases,

- New Mexico - 78 - Cities like Albuquerque (37)
- Washington - 71 - Seattle (45), (my daughter lives in Seattle)
- Arizona - 54 - Tucson (31)
- Alaska - 52 - Anchorage (31)
- Montana - 41 - Billings (29)
- California - 40 - San Francisco (18)
- Nebraska - 33 - Omaha, Missing persons database, just removed
- *The Invisible - 153 Indigenous women, identified by UIHI that currently do not exist in law enforcement records.

Idella's Story - Arapaho Rez, LA, Seattle, MT

- Northern Arapaho reservation first to Los Angeles and eventually to Seattle.
- As a young girl, her auntie's body was discovered in her grandparent's locked house while they were away at a Yakama pow-wow. They returned home when her grandma got a bad feeling but never received an explanation and no investigation was conducted.
- Idella went on to study at the University of Montana in Missoula, where she once again got a call about the death of a female relative. Her sister had died on the Wind River reservation. She and her family drove to Wind River to go tend to her sister's affairs. Upon arriving, Idella and her family found out that her sister's body was left to freeze outside the hospital door. However, no police officers came and there was no yellow tape.
- A few years later, Idella found herself in an abusive and violent dating relationship. The police told her that the laws of the state would not adequately protect her and she should move to some jurisdiction more able to do so.



MMIW Model
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Minnesota Study on AI/AN - 3 MN Cities

- 105 AI/AN women in prostitution were interviewed
- Women who were in contact with supportive agencies
- In Minneapolis, Duluth, and Bemidji, Minnesota.
- We do not say “Sex Worker” due the violence they suffer, coercion they experience and threats to their life. Dehumanizing/Degrading
- These women were vulnerable to sexual exploitation as a result of post-colonial homelessness, poverty, health problems (mental health) and lack of basic services.
- Colonialism - Federal policies like assimilation through “Boarding School Era” where sexual and physical abuse were common.

Risk Factors Create Vulnerability

- AI/AN native people live in adverse social and physical environments that place them at high risk of exposure to traumatic events
- With rates of violent victimization more than twice the national average (Manson, Beals, Klein, & Croy, 2005).
- High rates of poverty, homelessness, and chronic health problems
- All of these risk factors create vulnerability to prostitution and trafficking among AI/AN women by increasing economic stress and decreasing the ability to resist predators (Bortel, Ellingen, Ellison & Thomas, 2008; Deer, 2010).

Childhood Sexual Assault and Prostitution

- AI/AN women are subject to high rates of childhood sexual assaults, domestic violence, and rape both on and off reservations (Bachman,, Zaykowski, Lanier, Poteyeva, & Kallmyer, 2010; Chenault, 2011).
- The vast majority of prostituted women were sexually assaulted as children, usually by multiple perpetrators, and were revictimized as adults in prostitution as they experienced being hunted, dominated, harassed, pimped, assaulted, battered, [raped] and sometimes murdered by sex buyers, pimps, and traffickers (Farley, Franzblau, & Kennedy, 2014).

Homelessness - linked to Sexual Abuse

- Homelessness is linked to the sexual abuse of prostitution and trafficking (Farley et al., 2003) and is a primary risk factor for prostitution (Boyer, Chapman, & Marshall, 1993; Louie, Luu, & Tong, 1991; Simmons & Whitbeck, 1991).
- AI/AN people are overrepresented in the homeless population in the U.S. (Zerger, 2004). (Land Tenure - Trust property)
- Lack of Housing/Housing instability on reservations sometimes results in migration to urban areas, leaving young women vulnerable to prostitution.

Understanding Prostitution

- Understanding prostitution in relation to -
 - Historical trauma
 - Boarding school - disruption of family systems, lack of parenting
 - Foster care - disruption of family systems, lack of parenting
 - Sexual abuse - molestation cycle begins
 - Adoption
 - Tribal identity issues
 - Sexual violence

Critical Issues of Tribal Jurisdiction

- Oliphant - No jurisdiction over Non-Indians
- Shortage of Tribal Law Enforcement
- Poor relationships with local counties - Spokane Tribe 4th July DV
- Complex Jurisdictional issues - PL 280, Yakama Retrocession
- Prejudice - Institutional Racism - No one even looks for us
- Major Crimes = Federal, FBI, U.S. Attorneys Office often declines prosecution.
- Wash State Patrol - told tribe their insurance won't cover there activities on reservation
- WSP- stop doing investigation when they found out 4 fatalities were tribal members on Hwy 97

HUMAN TRAFFICKING

Human Sex Trafficking of Natives Youth

- North Dakota - Dusty Morsette, 23 sentenced to 45 years in federal prison: Bismarck, U.S. Attorney Purdue said “Morsette is a predator who targeted and exploited young girls and women of the Fort Berthold Reservation. He sexually abused multiple young girls, he engaged minor children to sell drugs for him, and he used physical force and coercion to force young woman to perform sex acts for money. The climate of fear he created for young girls and women on the Rez is no more.” 2012
- Alaska - Homer Charter boat captain, Randall Scott Hines, 34 sentenced to 10 years prison. 2008-2011 Hines had sex with teenage girls and supplied girls with Meth and other drugs. 4 of the six teenage girls were under the age of 16.

Media Coverage - Stereotyping

- More than 95% of cases were never covered by media
- Vast majority of MMIWG - was centered on reservation based violence.
- This minimizes this issue in urban spaces
- Bolsters the stereo type of American Indians as solely living on reservations and perpetuates the perception of tribal communities a violence-ridden environments.
- Media use language that can be perceived as violent or victim- blaming in their coverage of MMIWG.
- Drugs, alcohol, sex work, gang violence, victims criminal history, making excuses for the perpetrator.

Difficult to detect trafficking cases - Rural

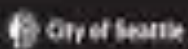
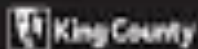
**HE PROMISED ME A
PLACE TO STAY,
THEN FORCED
ME TO WORK AS A
PROSTITUTE.**

WATraffickingHelp.org

HELP STOP HUMAN TRAFFICKING.

인신매매를 멈추도록 도와주세요.

National Human Trafficking Hotline 1-888-3737-888 or text 233733



- Cases are primarily Internet based;
- Trafficker directly recruit the victims;
- Drugs are typically involved;
- Victims are promised a better life and a chance to earn money
- Pimps isolate victims and remove them from their family.
- Victims have history of victimization. (Priest blaming dad)

Alaska - How perp was caught - Charter fishing boat captain

- The crimes were discovered when a health care professional who had been trained by FBI on how to identify trafficking victims, noted that a group of adolescents has the same sexually transmitted disease.
- “Innocence Lost” task force to tackle sex trafficking. Developing and working cases, training and outreach.



Oregon Human Trafficking

- Oregon are attracting trafficking activity as well. Police report that they encounter three to five victims of human trafficking per week; 80 percent of these are women and 50 percent are children.
- Commercial sex establishments line the I-5 corridor, including at truck stops, which facilitate transfers of sex trafficking victims between the Mexican and Canadian borders.
- Federal prosecutors have reported a recent surge in sex trafficking and related arrests in the Springfield-Eugene area. 6 Trends in Oregon, where more adults are travelling to Southern Oregon to have sex with children they have met online, confirm studies showing that rural children are the ones most often lured into prostitution, not inner city children. The Southern Oregon High-Tech Crimes Task Force reports a 29 percent increase in crimes involving child pornography and child sexual exploitation in the past year.

Legislation at Federal, Tribal & State level

- Navajo Nation passes legislation to protect children from Human Trafficking.
- Violence Against Women Act (VAWA)- Need to be reauthorized
- TLOA - Obama signed Tribal Law and Order Act that expands the punitive abilities of tribal courts across the nation. Tribal courts have had limited in the scope of punishment they could hand down in criminal cases, giving them the impression of a lower, less serious court.
- Savannah's Act - federal bill, required federal law enforcement to track and report data. (doesn't include cities) The bill was blocked by one vote, Bob Goodlatte of Virginia opposed certain provisions.
- Challenges in accessing data - impede the ability of policy makers to make informed decisions to address this violence.

Abducted from Tribal Park on Montana Rez

- Client got human trafficked to Mexico. 21 years old. Sitting at a park. She was fighting with her mom. Had her headphones on and sitting at a park to “de-steam” and somebody grabbed her from behind and took her. They had her underneath a shed in Mexico and she crawled out of a little tiny hole and ran as fast as she could to boarder. Another girl got out with her and they told each other just run as fast as you can. Thankfully boarder police believed her and called her family in Montana. Her family came and got her and met her in San Diego. She is still traumatized. She doesn't know what happened to the other girl or if she got out.

SPOKANE CITY Examples



- My niece Desiree, her tried to take her from Walmart parking lot at Pines and Sullivan, He had her car blocked in, she was going to cash her paycheck.
- My niece Nikki - drugged down at the Globe.
- Yakama tribal female - Downtown Spokane Bar - she went to charge her phone and her phone was dead. Abducted. She came to and she was under maple street bridge. There was a 12-foot fence with a little tiny hole. Her shirt was ripped. She was beat up, her face beat up and She had to crawl under that fence. Wallet and money were gone, she was from Yakama tribe.
- Marlene, Northern Cheyenne, grew up in Spokane Foster Cares system. 4 months ago tribal female found half clothed in a Spokane alley. No shoes, no phone. Drug allegations. No investigation. No Media Coverage.

Vulnerability to Human Trafficking

- Runaway/Homeless youth: The vulnerability of potential victims, especially minors, to sex trafficking in southern Oregon and rural towns is increasing, with sex crimes involving prostituted children and “survival sex” incidents among runaway and homeless youth on the rise.
- Minors cannot consent to any sexual activity and are victims by legal definition.
- Those involved in trafficking of persons do so by controlling the basic necessities of life of their victims. Safe and secure housing is not only a way of protecting victims but cutting the link between abuser and abused
- Awareness-raising - provide stickers with a national trafficking hotline telephone number in the renewal notices sent out to restaurants and bars throughout Oregon.

Teenagers treated as criminals; “johns” offered johns school to avoid criminal record

- Teens over the age of 18 are most vulnerable, as they are legally considered adults and if they are arrested for prostitution, instead of receiving protection or assistance, they are treated as criminals, charged with sex crimes, and if convicted, face jail time and a criminal record.
- In contrast, “johns” (customers) in Oregon have been given the option of attending a “johns’ school” for a small fee to avoid any criminal record or fines.
- The traffickers or pimps are rarely prosecuted or convicted;

Prosecution Challenges

- Proving coercion can be challenging
- Traumatized victims are reluctant to cooperate with law enforcement and may have difficulty articulating the complex combination of feelings of dependence, love and loyalty that compel them to remain under the control of the trafficker.
- Trauma-informed approach in the investigation and prosecution phase is critical.
- Trial is hard on Victims - it can be devastating to a young victim who may be struggling physically, mentally and emotionally with the after effects of being trafficked.

Themes Developed in Oregon report

- Existence and impact of generational trauma
- Interconnected relationship between the incidence of foster care, homelessness, and vulnerability to human trafficking (OR Native children placed in foster care at a rate of 5x that of whites)
- Vast underreporting of sex trafficking and other crimes within Native communities
- Distrust of non-tribal law enforcement, both police and prosecutors
- Jurisdictional confusion among law enforcement and tribal members and crimes that involve Native Americans and take place on reservation.
- Lack of funding for traditional healing methods for Native Americans that have been victims of generational trauma and of crime, including trafficking.

Foster Care, Homelessness - increased vulnerability for human trafficking

- In general, youth in foster care may also have an increased likelihood of becoming homeless,
- Homelessness also leads to an increased vulnerability to trafficking. Per one statistic, a homeless teen is approached within 72 hours of being on the street for recruitment in a trafficking enterprise.
- Given that Native children are overrepresented in the foster care system, and children in foster care are generally much more likely to become homeless, Native youth appear to have increased vulnerability for human trafficking.

Today U.S. Attorney's are responding

- I have personally seen a change in U.S. Attorney's Office responding to cases happening on Indian Reservations.
- 3 year old - assault with a skull fracture. The assailant fled to Canada but was finally arrested and extradited. We met with FBI and 2 Assistant US Attorneys. All hands on Deck.
- Recently a drug possession case at a tribal casino hotel. A patron facing 10 years.
- I believe because of MMIW initiatives, legislation, media on marches, the red hand painted on our face, we are making a significant change to how federal law enforcement authorities are dealing with our cases.

Protecting Juvenile Victims of Trafficking

- The TVPA also mandates HHS to initiate a pilot program to protect juvenile victims of trafficking.¹⁴⁶ HHS must establish three residential treatment facilities that provide shelter, psychological counseling and independent living skills development. Congress authorized \$5 million for each year for fiscal years 2008 through 2011 for these facilities, but these were never actually funded.

Choctaw Nation Guidelines for treatment of human trafficking victims



Choctaw Nation

Faith ♦ Family ♦ Culture

- Victims shall be:
- Housed in a shelter
- Not detained in jail
- Not fined or penalized
- Receive prompt medical care, food other assistance as needed
- Have legal assistance
- Be provided protection if safety is at risk

Solutions - Police, Attorneys, Tribal Admin

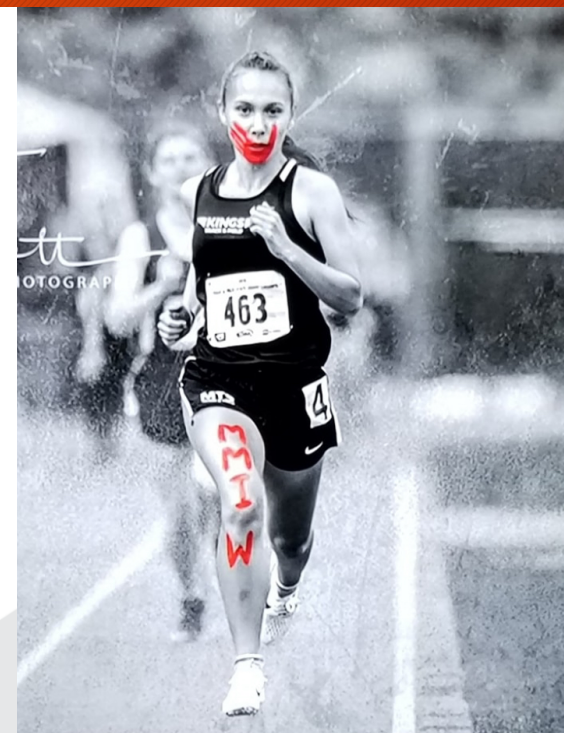
- We need collaborative efforts across jurisdictions - Tribal and State and County
- We need standardized protocol for responding to cases of MMIWG
- We need resources for Law Enforcement
- We need U.S. Attorneys to step up and prosecute (my niece)
- In Washington State Patrol 2 position, East and West side liaison
- Gaps - racism - react too slowly to disappearance,
- Tribes need to create better polices to address sexual harassment and assault.
- Protect young girls from social media - snap chat, trafficking,

Response

The ribbon skirt represents the sacredness of Indigenous women. Native women have their own stories of resilience and despite ribbons of trauma and violation stacked upon them. We chose to honor the sacredness of urban Indian women as well as women from the reservation. A majority of the murders, rapes, domestic violence assault cases never get prosecuted. Of the very few that go to court, nearly 30% are not found guilty.

MMIWG STATISTICS FROM A SURVEY OF 71 CITIES ACROSS THE U.S.

The ribbon skirt is a form of cultural clothing that represents the sacredness of American Indian and Alaska Native women and the deep connection their bodies and spirits have to the land. Just like a skirt, each American Indian and Alaska Native community has its own beauty and stories of resilience despite multiple ribbons of trauma and violence stacked upon them. We chose to represent the study's findings in this way to honor the sacredness of our urban missing and murdered Indigenous women and girls, the prayers we hold them in, and the responsibility we have to care for their stories.





Indigenous Women - Reclaiming our role

- Indigenous women are reclaiming our role as leaders in our tribal communities and across the nation.
- Historically, American Indian women exercised a significant amount of sociopolitical power within tribal nations.
- Today, contemporary American Indian women are seeking to regain this prominence (Portman & Herring).
- The role of Indian women in tribal decision making was deeply eroded by European contact (Jaimes & Halsey).



Indigenous women in Congress

- Two Native American women elected to Congress. This is why it matters.
- Centuries ago, colonists demoted indigenous women from leadership roles. We've been fighting to get them back ever since.
- Two Native American women won seats in the House of Representatives. Deb Haaland, a Laguna Pueblo from New Mexico, and Sharice Davids, a member of the Ho-Chunk Nation from Kansas, will be the first Native American women to serve in Congress.
- For Native American women, this is also about asserting their ancestral right to leadership in a society that has overlooked and undermined the power of indigenous women.



SHARICE
DAVIDS ➡➡



Federal Judge Humetewa

Diane Humetewa - Hopi
Confirmed in 2014 as the
first Native American
woman and enrolled
tribal member to serve as
a federal judge,
Humetewa is one of three
Native Americans in
history to serve in this
position.



Historical Context - Colonialism

- Power relation between men and women in tribal communities in pre-colonial times was one of interdependence.
- Leadership from American Indian perspective is seen as a SHARED VISION AND RESPONSIBILITY.
- Today American Indian governance is filled not with romantic notions of male chiefs as wise, supreme, all-knowing grandfathers
- But with tribal councils or executive committees consisting of both male and female leaders who are holding positions of leadership.
- Tribes are exercising our sovereignty and working to improve the lives of our citizens.

Whistalks

- Qualchan's wife, Whistalks, a Spokane Indian, hurls her Husband's spear into the Ground as an act of defiance and rides out of the dead camp with Qualchan's brother Lokout, whom soldiers nearly assumed to be a Spokane, like Whistalks, protected by a treaty with Wright
- Defiance of Whistalks is another print by Nona Hengen that follows the battles that took place with the Native Americans in 1858. Hengen captures the intensity of what happened, as well as bringing out sadness that comes from war.



Defiance of Whistalks

Lucy Covington Fights Termination

- Lucy Friedlander Covington (November 24, 1910 - September 20, 1982) was a Native American tribal leader and political activist. She was a member of the Colville tribe which has a reservation in north-eastern Washington State. Covington was the granddaughter of the last Colville chief (Chief Moses) to be acknowledged by the tribe.

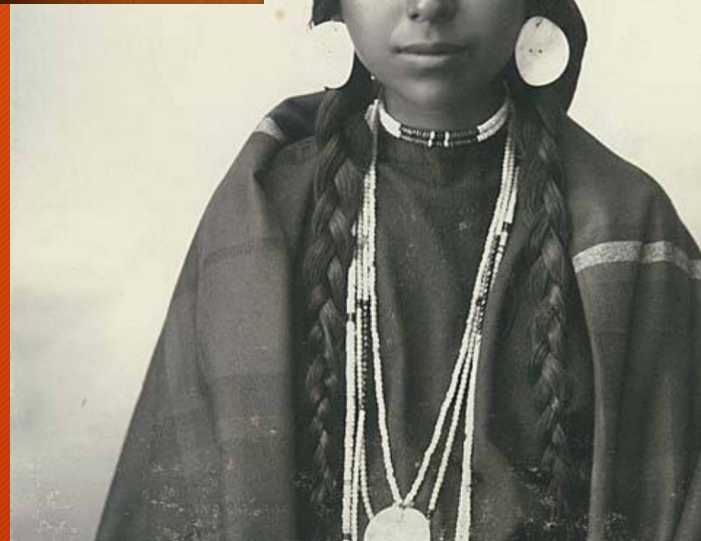


Native Women as Healers



as medicines to heal.

2003-04	Summer	RC	gallons of huckleberries at West Fisher it was over 90 maybe 98
2007	Summer	RC	We had a tornado during our powwow and it wiped out a lot of trees, houses, etc. hail the wind was strong, knocking down camps at pow wow grounds. Tornado went thru Flathead Lake. Knocked all the Berries off the trees, bushes
2010	Summer	RC	Hot over 90 huge thunder storm during our Standing Arrow Pow Wow, knocked off the Kapalil (Foam Berries) off of a bush I was watching at Turtle Lake. Third week of July our powwow is held each year.
2011	Summer	RC	Weather beginning to get hot over 90 degree of weather usually we get this hot weather in August when the berries ripen overnight.
2014	Summer	RC	Had Berries this year
2017	Summer	RC	Had Berries this year, we also had snow for a few weeks to a month.
2018	W/S	RC	Had snow but very little huckleberries this year.
2019	Winter	RC	We had snow and below Zero weather this year, our lake froze. I was around 9 or 10 (1969 or 1970) when our lake froze, we used to skate and have ice skating parties on the lake by our house. We used to also build tunnels in the snow piles Vic Lefthand who worked for Co. would plow the secondary roads and pile it up at the office and we (us kids) would build tunnels in the snow piles. My mom and dad would tell stories of when my great grandmother would walk across the lake in the winter. They would take a short cut instead of using the trails across the lake. My brother Jr told us stories when they would ice fish in Elmo Bay and Masusa Bay. They would ice fish and catch fish and they would not catch any fish. My brothers would wonder what kind of fish she would use after she finished, they would fish on their spot and catch no fish. My sister Loraine used to ice fish for our supper also and she would not get any fish.



Federal Indian Law & Policies - obliterated the legal standing of native women

- The Dawes/Allotment Act gave tracts of land primarily to male heads of household, further eroding native women's role.
- In Dine' (Navajo) lands the U.S. government refused to recognize land ownership patterns that accorded such rights to women. Totally ignoring the Navajo clan relationship that is based on matrilineal principles (Muller).
- Indian Reorganization Act (IRA) imposed an elected tribal council format that was based on Eurocentric government model, and traditional ways of selecting leaders were wiped out.

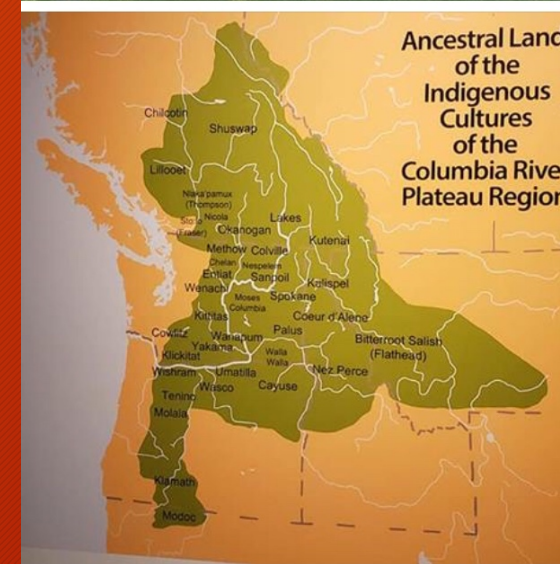
Personal Identity - Purpose and Balance

- As Indigenous Women, we must understand how to develop positive cultural and gender identities.
- Society and the media are now aware of the crisis of Murdered and Missing Indigenous Women. It brings to light our unique struggles that we face everyday.
- Each of us need to work towards a positive cultural identity!
- Our Identity is defined - How do we describe ourselves? How do we describe the significant events or turning points that have shaped our lives? What has influenced our life choices?



Cultural Teachings from our YaYas, Tupiye's

- Question - What cultural teachings did you receive from your grandmother?
- Stories?
- Songs?
- Values and beliefs?



Plants and Medicines-family medicine camp



Scientists, Attorneys



Release Salmon into the Columbia River

**For the first time in 80 years,
salmon are in the Upper
Columbia River**

UPDATED: Fri., Aug. 9, 2019, 8:56 p.m.



Virginia Redstar, right, Darnell Sam and Norma Sanchez release a salmon into the Columbia River on Friday. (Eli Francovich / The Spokesman-Review)



Spirituality

- As native people, we have always been very spiritual.
- Our grandmothers thanked the creator before we went out to dig roots and pick berries.
- At the Salmon Ceremony we pray for our water and salmon. We sing the song to call the Salmon home.
- Tribal people often combine Christian elements of spirituality in with out traditional tribal practices.



Centered Leadership - finding meaning

- 1. Finding your strengths and put them to work.
- 2. Managing energy - knowing where your energy comes from, where it goes and what you can do to manage it.
- 3. Positive framing or View the world in a constructive way - expand your horizons, and gain resilience to move ahead even when bad things happen.
- 4. Connecting with and identifying who can help you grow, building stronger relationships, and increasing your sense of belonging.
- 5. Find your voice - become self-reliant and confident by accepting opportunities and the inherent risks they bring and collaborating with others (Barsh et al. 2008).

